



Public Notice

U.S. Army Corps
of Engineers
Pittsburgh District

In Reply Refer to
Notice No. below

US Army Corps of Engineers, Pittsburgh District
1000 Liberty Avenue
Pittsburgh, PA 15222-4186

Application No. 200201086

Date: June 18, 2004

Notice No. 04-24

Closing Date: July 8, 2004

1. TO ALL WHOM IT MAY CONCERN: The following application has been submitted for a Department of the Army Permit under the provisions of Section 404 of the Clean Water Act (33 U.S.C. 1344).
2. APPLICANT: Valley Mining Incorporated
P.O. Box 152
Uhrichsville, OH 44683
3. LOCATION: in an unnamed tributary to Campbells Run, in New Athens, Harrison County, Ohio
4. PURPOSE AND DESCRIPTION OF WORK: The applicant is proposing to impact 10.7 acres of jurisdictional wetlands, 0.9 acre of isolated wetland, and 5,750 linear feet of an unnamed tributary to Campbell Run in order to recover the Meigs Creek No. 9, Pomeroy No. 8A, and the Pittsburgh No. 8 coal seams. Drawings of the proposed project are attached to this notice.
5. WATER QUALITY CERTIFICATION: Water Quality Certification has been granted as of August 20, 2003.
6. IMPACT ON NATURAL RESOURCES: The District Engineer has consulted the most recently available information and has determined that the project is not likely to affect the continued existence of any endangered species or threatened species, or result in the destruction or adverse modification of habitat of such species which has been determined to be critical. This Public Notice serves as a request to the U. S. Fish and Wildlife Service for any additional information they may have on whether any listed or proposed to be listed endangered or threatened species may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1972 (as amended).
7. IMPACT ON CULTURAL RESOURCES: The National Register of Historic Places has been consulted, and it has been determined that there are no properties currently listed on the register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this

notice, or by other means, of specific archeological, scientific, prehistorical, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

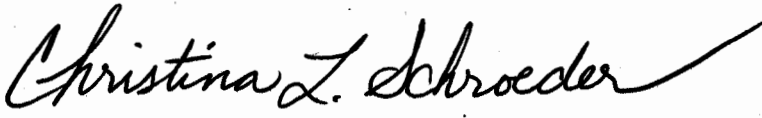
8. PUBLIC INVOLVEMENT: Any person may request, in writing, within the comment period specified in the paragraph below entitled "RESPONSES," that a public hearing be held to consider this application. The requests for public hearing shall state, with particularity, the reasons for holding a public hearing.

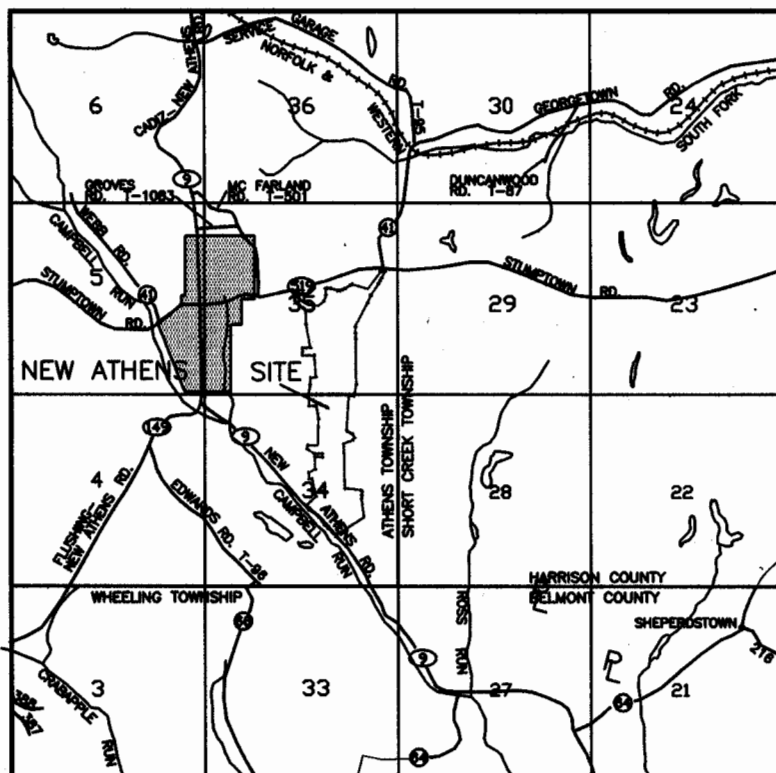
9. EVALUATION: Interested parties are invited to state any objections they may have to the proposed work. The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposals must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people. The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the overall public interest of the proposed activity. The evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

10. RESPONSES: A permit will be granted unless its issuance is found to be contrary to the public interest. Written statements concerning the proposed activity should be received in this

office on or before the closing date of this Public Notice in order to become a part of the record and to be considered in the final determination. Any objections which are received during this period may be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. All responses to this notice should be directed to the Regulatory Branch, attn Christina L. Schroeder, at the above address, by telephoning (412) 395-7375, or by e-mail at Christina.L.Neubert@usace.army.mil. Please refer to CELRP-OR-F 200201086 in all responses.

FOR THE DISTRICT ENGINEER:


for Scott A. Hans
Acting Chief,
Regulatory Branch



LOCATION MAP
SCALE: 1" = 1 MILE

HARRISVILLE
QUADRANGLE

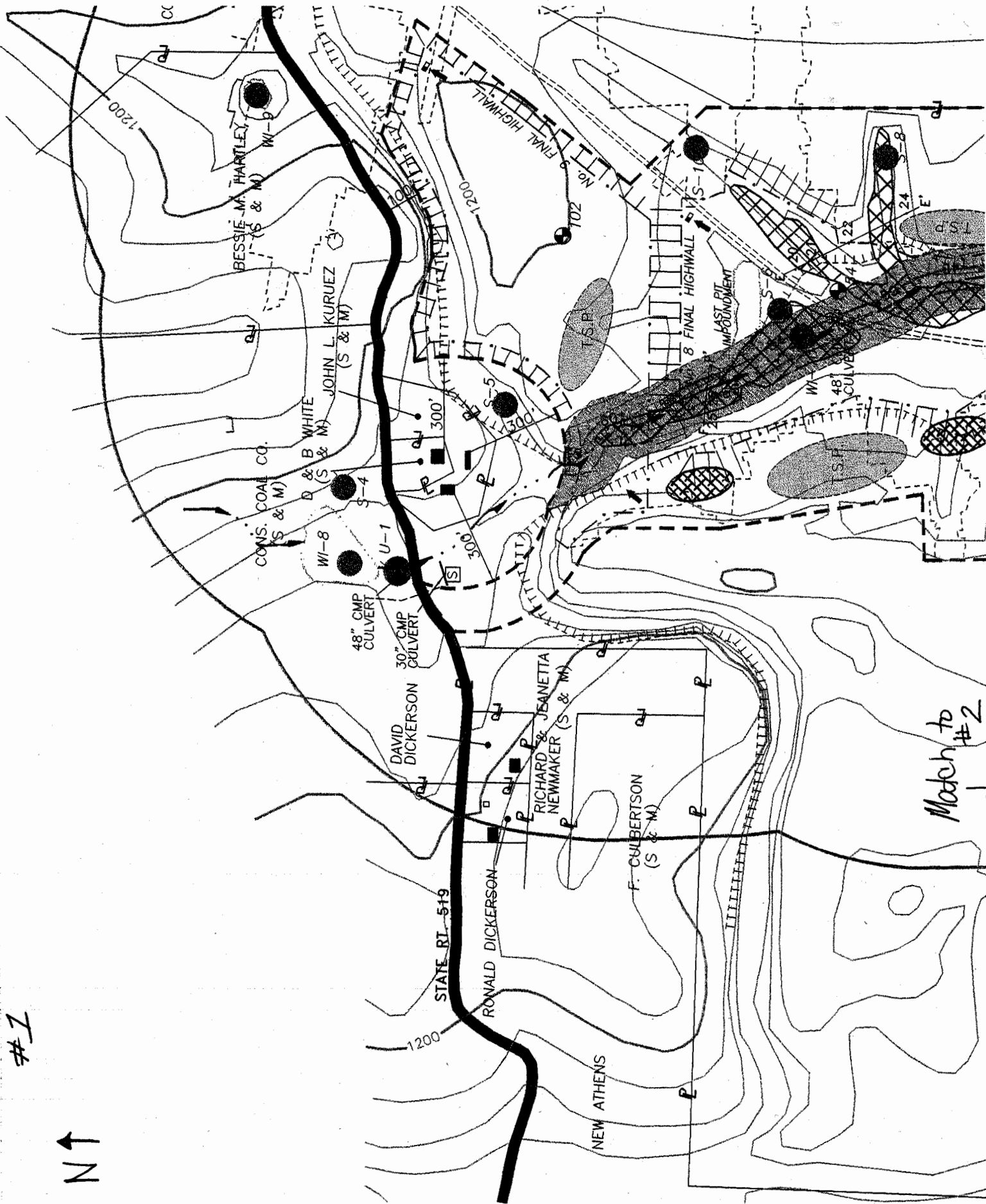
VALLEY MINING, INC. (BEAL)

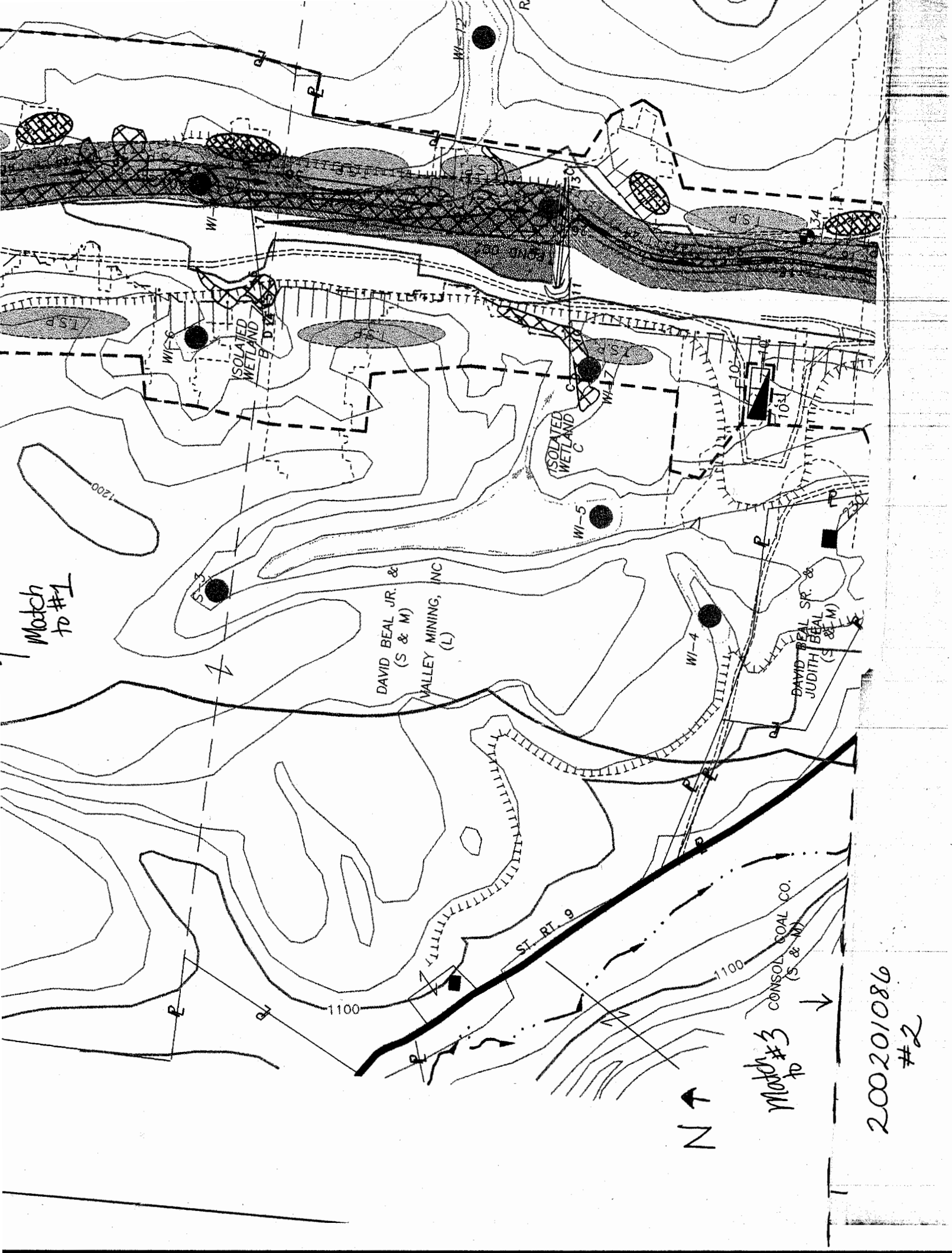
LOCATED IN
SECTIONS 34 & 35
T-8-N, R-4-W
ATHENS TOWNSHIP
HARRISON, COUNTY

PREPARED BY:
BAIR, GOODIE AND ASSOCIATES, INC.
153 NORTH BROADWAY
NEW PHILADELPHIA, OHIO 44663
PHONE (330) 343-3499

200201086
#1

N ↑





Match to #1

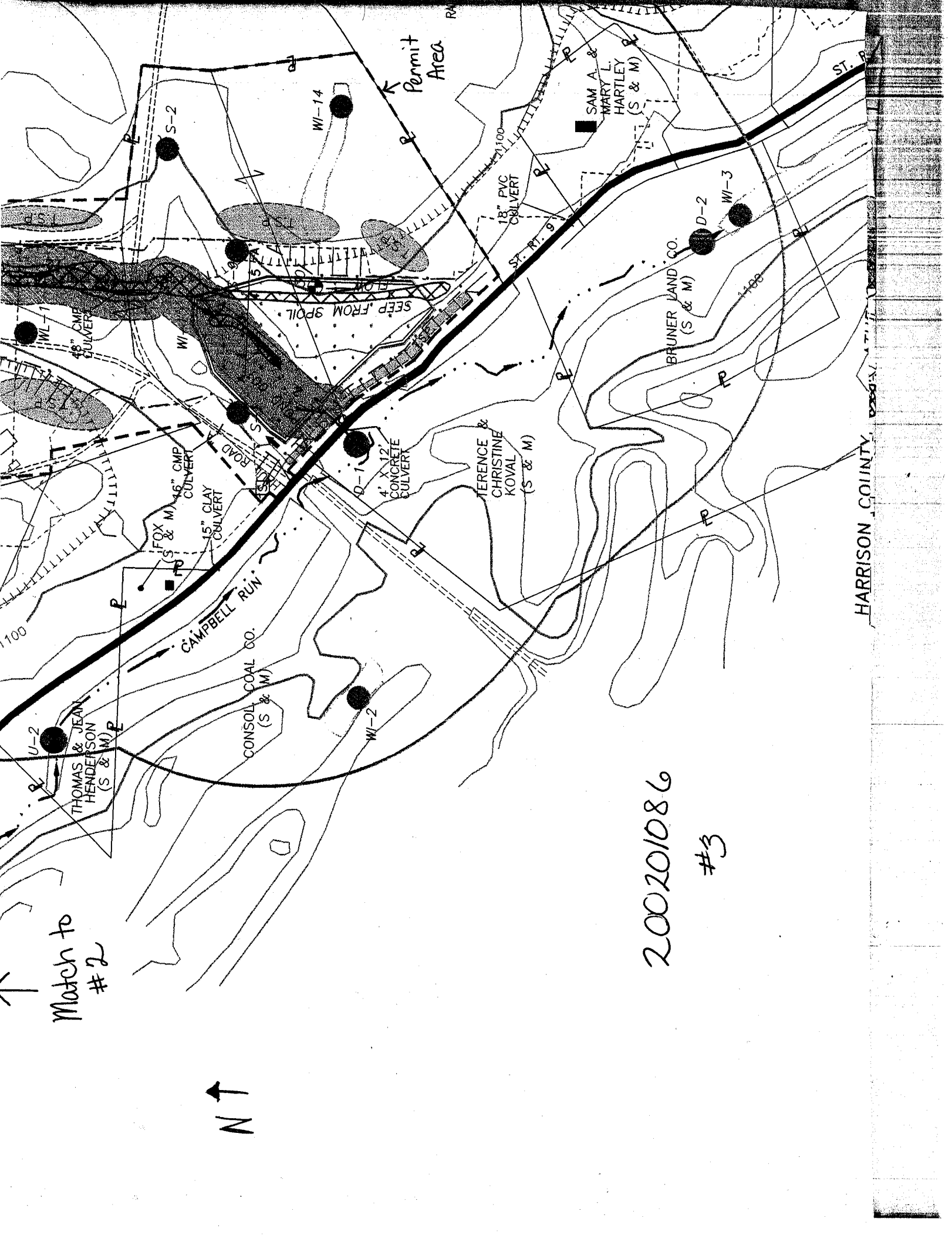
DAVID BEAL JR. &
(S & M)
VALLEY MINING, INC
(L)

DAVID BEAL SR. &
JUDITH BEAL
(S & M)

ST. RT. 9

Match #3 to #2
CONSOL. COAL CO.
(S & M)

200201086
#2



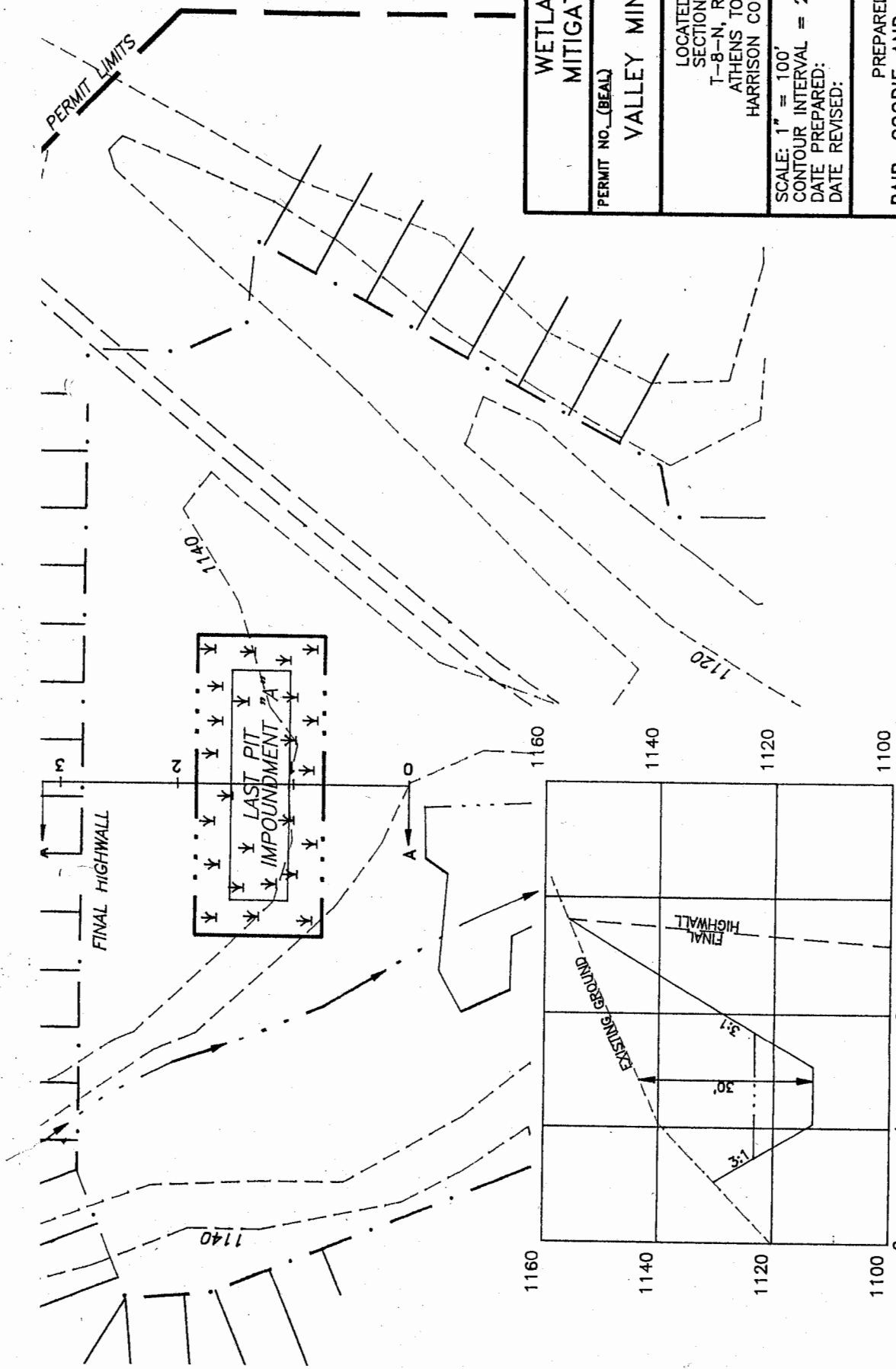
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#2

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200201086

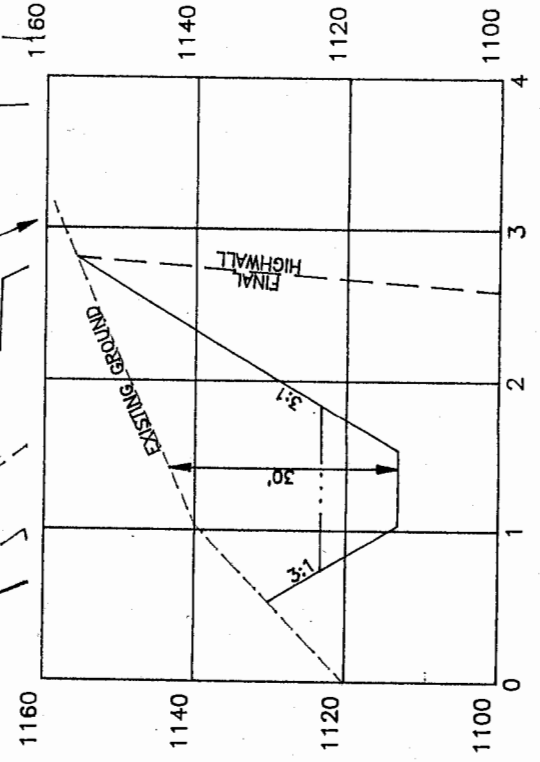
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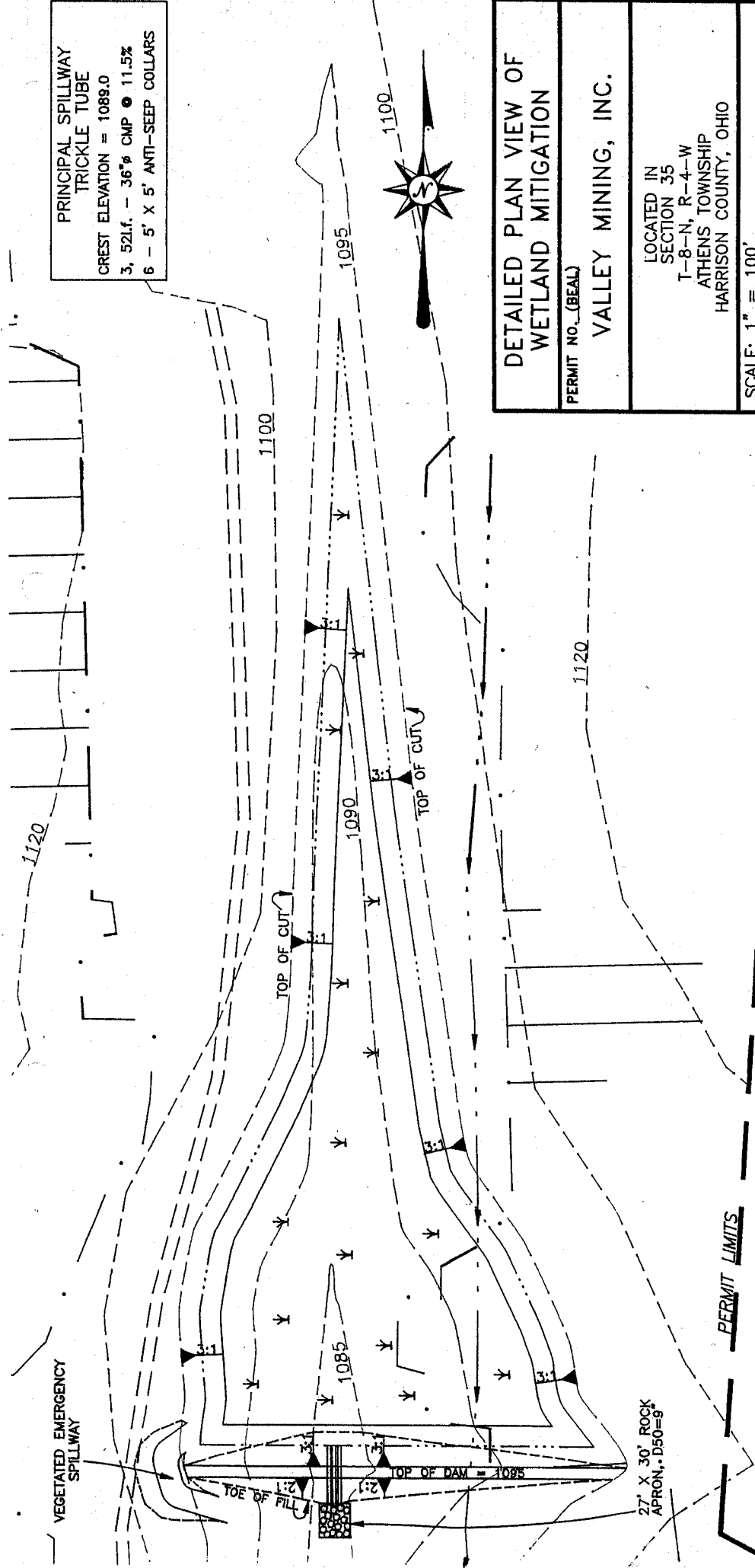
WETLAND MITIGATION	
PERMIT NO. (BEAL)	VALLEY MINING, INC.
LOCATED IN SECTION 35 T-8-N, R-4-W ATHENS TOWNSHIP HARRISON COUNTY, OHIO	
SCALE: 1" = 100'	DATE PREPARED: AUGUST 16, 2002
CONTOUR INTERVAL = 20'	DATE REVISED:
PREPARED BY: BAIR, GOODIE AND ASSOCIATES, INC. 153 NORTH BROADWAY NEW PHILADELPHIA, OHIO 44663 PHONE (330) 343-3499	

FILE ID: BEAL102



CROSS-SECTION A-A'
 SCALES: HORIZONTAL 1" = 100'
 VERTICAL 1" = 20'

20020086



PRINCIPAL SPILLWAY
TRICKLE TUBE
CREST ELEVATION = 1089.0
3, 521.4' - 36" CMP @ 11.5%
6 - 5' X 5' ANTI-SEEP COLLARS

DETAILED PLAN VIEW OF WETLAND MITIGATION

PERMIT NO. (BEAL)

VALLEY MINING, INC.

LOCATED IN
SECTION 35
T-8-N, R-4-W
ATHENS TOWNSHIP
HARRISON COUNTY, OHIO

SCALE: 1" = 100'
CONTOUR INTERVAL = 5'
DATE PREPARED: SEPTEMBER 6, 2002
DATE REVISED:

PREPARED BY:

BAIR, GOODIE AND ASSOCIATES, INC.
153 NORTH BROADWAY
NEW PHILADELPHIA, OHIO 44663
PHONE (330) 343-3499

FILE ID: BEAL102

POND DATA

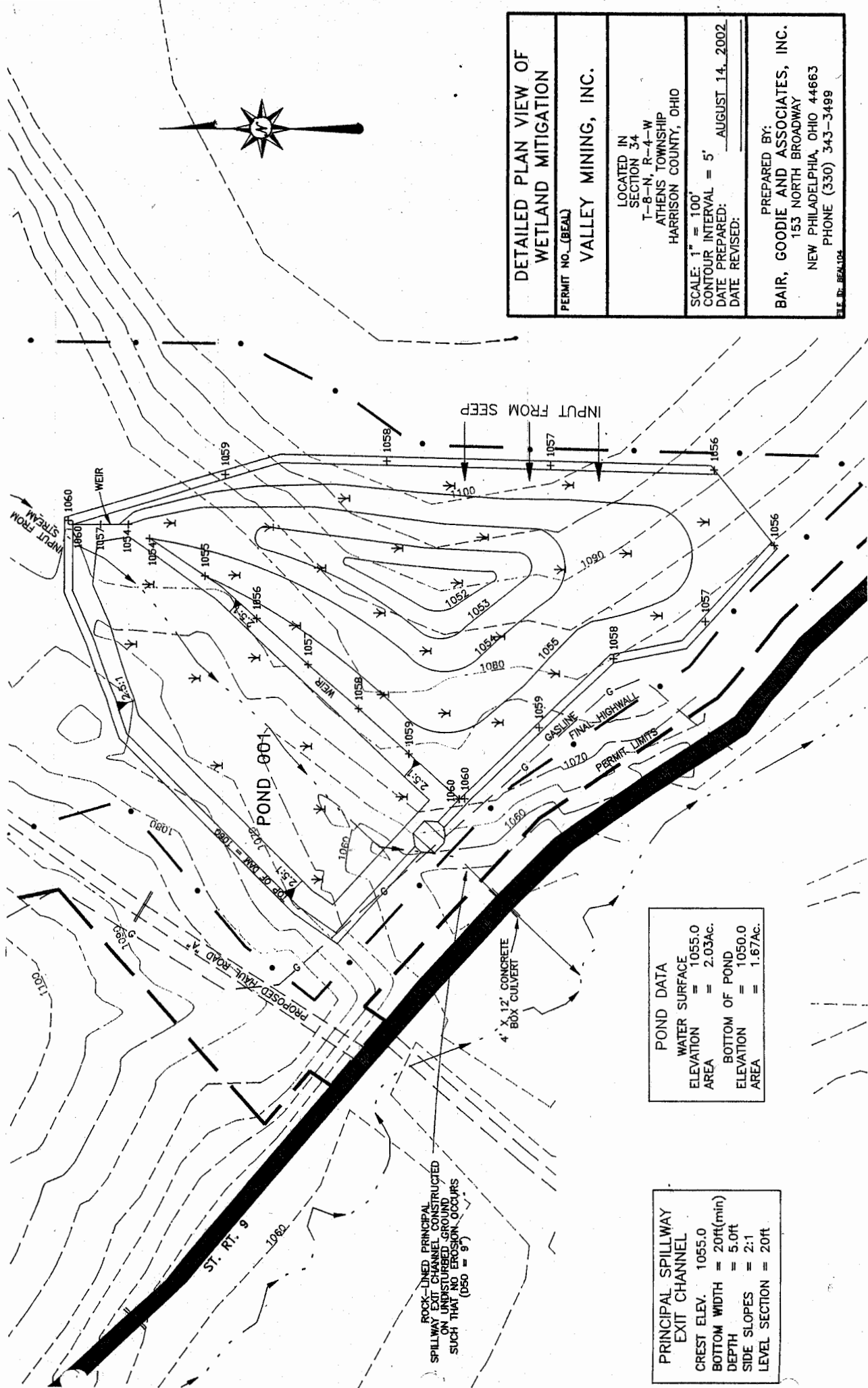
WATER SURFACE ELEVATION	= 1089.0
AREA	= 2.59ac.
BOTTOM OF POND ELEVATION	= 1083.0
AREA	= 1.73ac.

PRINCIPAL SPILLWAY EXIT CHANNEL

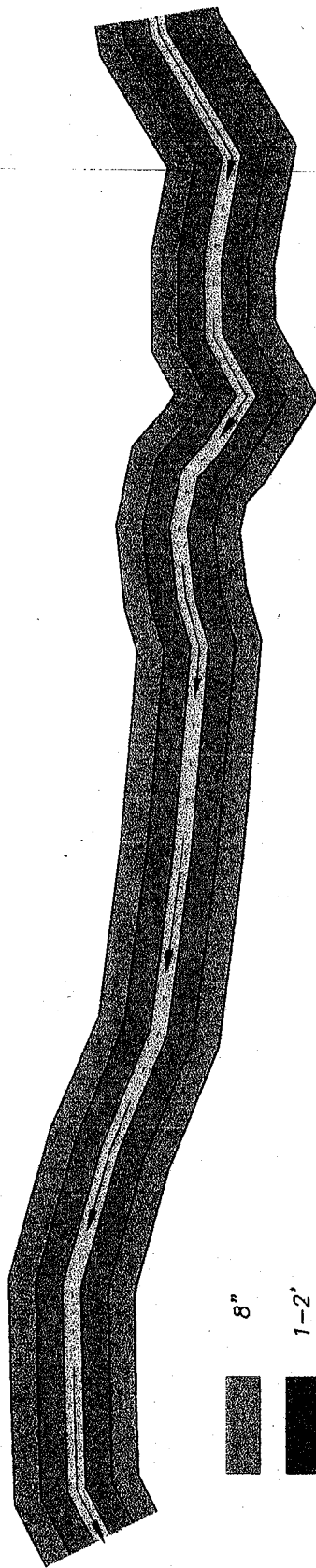
CREST ELEV.	1093.5
BOTTOM WIDTH	= 20ft(min)
DEPTH	= 1.5ft
SIDE SLOPES	= 3:1
LEVEL SECTION	= 20ft

PERMIT LIMITS

200201086

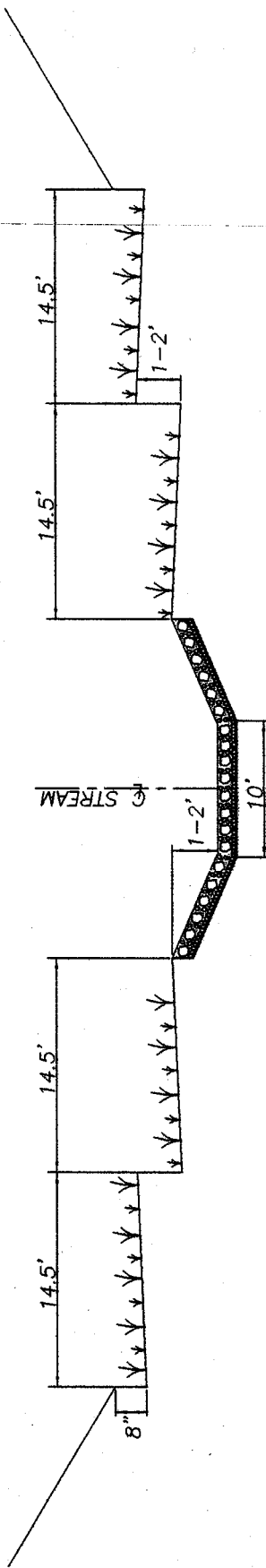
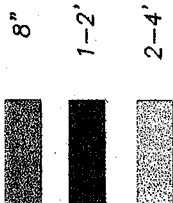


200201086



PLAN

SCALE: 1"=100'



TYPICAL CROSS-SECTION

NOT TO SCALE

PREPARED BY:
BAIR, GOODIE AND ASSOCIATES, INC.

153 NORTH BROADWAY
NEW PHILADELPHIA, OHIO 44663
PHONE (330) 343-3499

DATE PREPARED: AUGUST 27, 2002
DATE REVISED:

WETLAND MITIGATION
STREAM "A"

PERMIT NO. (BEAL)

VALLEY MINING, INC.

LOCATED IN
SECTION 35
T-8-N, R-4-W
ATHENS TOWNSHIP
HARRISON COUNTY, OHIO